

F2
6 decode the first audio data stream into LPCM format;
7 require a second audio data stream in LPCM format;
8 combine the decoded first audio data stream with the second audio data stream,
9 utilizing in part a LPCM mixer;
10 encode the combined audio data stream into a second perceptually based format;
11 and
12 transmit the encoded combined audio data stream to a CODEC circuit.

F3
19. (Fourth Amendment) A method to combine diversely encoded data streams,
2 comprising:
3 receiving a first data stream in a first compressed format;
4 decoding the first data stream into LPCM format;
5 obtaining a second data stream in LPCM format; and
6 combining the decoded first data stream with the second data stream, utilizing in
7 part a LPCM mixer, for receipt by a CODEC device.

REMARKS

In paper 16, the Examiner has objected to the Applicants specification because it lacks a brief summary of the invention. However, Applicants respectfully traverse this objection.

It is clear from the language of the regulations which sections of the specification are mandatory and which are permissive. For example, 37 C.F.R. § 1.72(b) requires: "A brief abstract of the technical disclosure in the specification which **must** commence on a separate sheet, preferably following the claims, under the heading 'Abstract of the Disclosure.'" In similar fashion, 37 C.F.R. § 1.75(a) states: "The specification **must** conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery."

In contrast, 37 C.F.R. § 1.73 states: "A brief summary of the invention indicating its nature and substance, which may include a statement of the object of the invention, **should** precede the detailed description. Such summary **should, when set forth**, become commensurate with the invention as claimed.

Accordingly, it is submitted that a Summary of the Invention is not required and Applicant respectfully declines to submit one.

Claims 1-4, 10-12, 16, 19-21, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farhangi et al. (U.S. Patent No. 5,647,008) in view of Bergher et al. ("Dolby AC-3™ and MPEG-2 Audio Decoder IC with 6-channels Output", IEEE Trans. on Consumer Electronics, August 1997) and Hinderks (U.S. Patent No. 5,706,335).

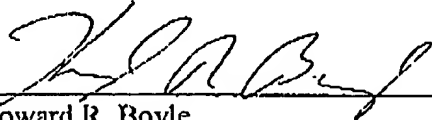
Applicants have amended independent claims 1, 12, and 19 to make clear that Applicants are combining the LPCM data streams utilizing a LPCM mixer. This limitation is not disclosed or suggested by any of the references of record. For at least this reason, claims 1, 12, and 19 and the claims dependent thereon are patentable over this cited art.

Additionally, independent claims 1, 12, and 19 all require the combination of two LPCM data streams. This limitation is not disclosed in any of the cited references. As required under MPEP § 2143, the prior art references when combined must teach or suggest all of the claim limitations. There is no suggestion in any of the cited references whether taken alone or in combination of combining two LPCM data streams.

In view of the above remarks, Applicants believe the claims as currently amended are patentable over the cited art and respectfully request that the Examiner withdraw the objection to the specification and the rejections of Applicants claims and pass the case to issue. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (INTL-0136-US).

Respectfully submitted,

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APPENDIX

Please amend the following claims:

1 1. (Fourth Amendment) A method to combine diversely encoded audio data streams,
2 comprising:
3 receiving a first audio data stream in a first perceptually based format;
4 decoding the first audio data stream into a linear pulse code modulated format;
5 obtaining a second audio data stream in a linear pulse code modulated format; and
6 combining the decoded first audio data stream with the second audio data stream,
7 utilizing in part a linear pulse code modulated mixer, for receipt by a CODEC.

1 12. (Thrice Amended) A program storage device, readable by a programmable
2 control device, comprising:
3 instructions stored on the program storage device for causing the programmable
4 control device to
5 receive a first audio data stream in a first perceptually based format;
6 decode the first audio data stream into LPCM format;
7 require a second audio data stream in LPCM format;
8 combine the decoded first audio data stream with the second audio data stream,
9 utilizing in part a LPCM mixer;
10 encode the combined audio data stream into a second perceptually based format;
11 and
12 transmit the encoded combined audio data stream to a CODEC circuit.

1 19. (Fourth Amendment) A method to combine diversely encoded data streams,
2 comprising:
3 receiving a first data stream in a first compressed format;
4 decoding the first data stream into LPCM format;
5 obtaining a second data stream in LPCM format; and
6 combining the decoded first data stream with the second data stream, utilizing in part a LPCM
7 mixer, for receipt by a CODEC device.

Application/Control Number: 09/185,248
Art Unit: 2641

Page 7

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on 703-305-6137. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications. *W.R.K.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

AAA
October 22, 2001

William Korzuch
WILLIAM KORZUCH
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